



## **City Council Meeting Action Agenda May 16, 2016 Council Chambers, First Floor**

### **Present:**

Mayor William V. Bell.  
Mayor Pro Tempore Cora Cole-McFadden and Council Members  
Eddie Davis  
Jillian Johnson  
Don Moffitt  
Charlie Reece  
Steve Schewel

Absent: None

*Disclaimer:* All information on the website is subject to tampering and unauthorized changes without the knowledge of the City of Durham. Minutes are available after City Council approval. Contact the City Clerk's Office at 919-560-4166.

### **[Consent Agenda]**

#### **1. Work Session Start Time**

To continue the City Council Work Session start time at 1:00 p.m. on Thursday of the same week of each regular City Council Meeting. [Approved by Vote: 5/2 – Noes: Council Members Johnson and Reece]

(Resource Person: Mayor Pro-Tempore Cora Cole-McFadden – 919-560-4396) ([PR# 11099](#))

#### **2. 2015 Durham City-County Appearance Commission Annual Report**

To receive the 2015 Durham City-County Appearance Commission Annual Report. [Approved by Vote: 7/0]

(Resource Person: Aaron Cain, AICP – 919-560-4137 ext. 28226) ([PR# 11078](#))

### **3. 2015 Durham Open Space and Trails Commission Annual Report**

To receive the 2015 Durham Open Space and Trails Commission Annual Report.  
[Approved by Vote: 7/0]

(Resource Person: Helen Youngblood, AICP – 919-560-4137 ext. 28245) ([PR# 11079](#))

### **4. 2015 Durham Environmental Affairs Board Annual Report**

To receive the 2015 Durham Environmental Affairs Board Annual Report. [Approved by  
Vote: 7/0]

(Resource Person: Helen Youngblood, AICP – 919-560-4137 ext. 28245) ([PR# 11080](#))

### **5. 2015 Planning Commission Annual Report**

To receive the 2015 Annual Report of the Planning Commission. [Approved by Vote:  
7/0]

(Resource Person: Grace Smith, AICP – 919-560-4137 ext. 28215) ([PR# 11081](#))

### **6. 2015 Board of Adjustment Annual Report**

To receive the 2015 Annual Report of the Board of Adjustment. [Approved by Vote: 7/0]

(Resource Person: Jacob Wiggins – 919-560-4137 ext. 28257) ([PR# 11084](#))

### **7. 2015 Durham Historic Preservation Commission Annual Report**

To receive the 2015 Annual Report of the Historic Preservation Commission.[Approved  
by Vote: 7/0]

(Resource Person: Karla Rosenberg – 919-560-4137 ext. 28259) ([PR# 11086](#))

### **8. Construction/Permanent Financing Loan Documents with Southside Revitalization Phase II Limited Partnership for the Phase II Multi-Family Construction at Southside East (The Lofts at Southside)**

To authorize the expenditure of up to \$3,300,000.00 in HOME Investment Partnership funds (HOME) for vertical construction activities for Phase II of Southside East;

To authorize the City Manager to execute a Construction/Permanent HOME Investment Partnership Loan Agreement with the Southside Revitalization Phase II Limited Partnership in an amount up to \$3,300,000.00; and

To authorize the City Manager to modify the loan agreements and to execute such other

non-loan related documents as necessary and as required by other lenders and the investor (including but not limited to an inter-creditor agreement and a disbursing agreement) so long as they do not change the structure of the deal, increase the dollar amount or lessen the obligations of Southside Revitalization Phase II Limited Partnership to the City. [Approved by Vote: 7/0]

(Resource Person: Richard Valzonis – 919-560-4570 ext. 22226) ([PR# 11091](#))

#### **9. Contract with Smith Gardner for Professional Engineering and Groundwater Monitoring Services for Closed Sanitary Landfill**

To authorize the City Manager to execute a contract with Smith Gardner, Inc. for professional services for the closed sanitary landfill in the total amount not to exceed \$144,425.00;

To establish a contingency amount of \$14,575.00; and

To authorize the City Manager or his designee to negotiate change orders for the contract provided that the cost of all change orders does not exceed \$14,575.00 and the total project cost does not exceed \$159,000.00. [Approved by Vote: 7/0]

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 11041](#))

#### **10. Williams Water Treatment Plant Terminal Reservoir Residuals Removal Contract – Construction Contract Award to Bio-Nomic Services, Inc.**

To authorize the City Manager to execute a contract with Bio-Nomic Services, Inc. for the Williams Water Treatment Plant Terminal Reservoir Residuals Removal Contract for \$2,493,960.00.

To establish a contingency fund for the contract in the amount of \$250,000.00 and

To authorize the City Manager to negotiate change orders for the contract provided that the cost of all change orders together with the total project cost does not exceed \$2,743,960.00. [Approved by Vote: 7/0]

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 11070](#))

#### **11. Fleet Funding Capital Improvement Project (CIP) Budget Amendment**

To adopt an Ordinance Amending the General Capital Improvements Project Ordinance, as amended, the same being Ordinance #14778;

To adopt an Ordinance Amending the Stormwater Capital Improvements Project Ordinance, as amended, the same being ordinance #14780;

To adopt an Ordinance Amending the Solid Waste Capital Improvements Project Ordinance, as amended, the same being ordinance #14781; and

To adopt an Ordinance Amending the Water and Wastewater Capital Improvements Project Ordinance, as amended, the same being ordinance #14779. [Approved by Vote: 7/0]

(Resource Person: Joseph W. Clark – 919-560-4101 ext. 31223) ([PR# 11077](#))

## **12. Contract for City Wide Security Assessment and Strategic Plan between the City of Durham and Elert and Associates Networking Division, Inc.**

To authorize the City Manager to negotiate and execute a Professional Services contract with Elert and Associates Networking Division, Inc. for the City Wide Security Assessment and Strategic Plan Project not to exceed an anticipated maximum cost of \$78,000.00;

To establish a project contingency of \$7,800.00; and

To authorize the City Manager to negotiate and execute amendments to the City Wide Security Assessment and Strategic Plan contract provided the total contract cost does not exceed \$85,800.00. [Approved by Vote: 7/0]

(Resource Person: Dave Delcambre – 919-560-4197 ext. 21255) ([PR# 11092](#))

## **13. Acceptance of 2016 Parks Build Community Grant from the National Recreation and Park Association**

To adopt the 2016 National Recreation and Park Association Parks Build Community Project Ordinance; and

To authorize the City Manager to execute a grant agreement in the amount of \$20,000.00. [Approved by Vote: 7/0]

(Resource Person: Annette L. Smith – 919-560-4355 ext. 27214) ([PR# 11094](#))

## **14. Contract for Reimbursement of Costs Incurred for Law Enforcement Assistance and Accompanying Grant Project Ordinance**

To authorize the City Manager to execute the Contract for Reimbursement of Costs Incurred for Law Enforcement Assistance; and

To adopt the Grant Project Ordinance for the City of Durham and Town of Chapel Hill for Temporary Law Enforcement Assistance on Monday, April 4, 2016. [Approved by Vote: 7/0]

(Resource Person: Shawn Hughey – 919-560-1185 ext. 29460) ([PR# 11069](#))

**15. Reimbursement Agreement for the Whitted School – Whitted School Redevelopment, LLC**

To authorize the City Manager to enter into a Reimbursement Agreement with Whitted School Redevelopment, LLC for construction of utility and street repaving improvements through the Whitted School Renovation Project in an amount not to exceed \$420,000.00. [Approved by Vote: 7/0]

(Resource Person: Robert Joyner – 919-560-4326 ext. 30229) ([PR# 11090](#))

**16. This item can be found on the General Business Agenda.**

**The City Council disposed of the following agenda items at the May 5, 2016 Work Session:**

**17. Scott Barndt**

(Citizen did not appear at the 05-05-16 Work Session)

**18. Brian Addams**

(Citizen did not appear at the 05-05-16 Work Session)

**19. George Laing**

(Comments were received at the 05-05-16 Work Session)

**20. Jade Brooks**

(Comments were received at the 05-05-16 Work Session)

**21. Serena Sebring**

(Comments were received at the 05-05-16 Work Session)

**22. China Medel**

(Comments were received at the 05-05-16 Work Session)

**[General Business Agenda]**

**16. Proposed FY16-17 Budget and Fiscal Year 2017-2022 Capital Improvement Plan (CIP)**

To receive a presentation from the City Manager on the proposed Fiscal Year 2016-17 Budget and Fiscal Year 2017-2022 Capital Improvement Plan (CIP). [Approved by Vote: 7/0]

(Resource Person: Bertha T. Johnson – 919-560-4111 ext. 20285) ([PR# 11076](#))

**[Adjournment – 9:06 p.m.]**

**Notice Under the Americans with Disabilities Act (ADA).**

The City of Durham will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in the City program, service, or activity, should contact the office of Stacey Poston, Acting ADA Coordinator, Voice: (919)560-4197, ext. 21254, TTY:(919) 560-1200; [ADA@durhamnc.gov](mailto:ADA@durhamnc.gov), as soon as possible but no later than 48 hours before the scheduled event.